

## Message Text

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ACTION OES-07

INFO OCT-01 ARA-10 ISO-00 DLOS-09 ACDA-07 AGRE-00  
AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 COME-00  
DODE-00 DOTE-00 EB-08 EPA-01 ERDA-05 FEAE-00  
FMC-01 TRSE-00 H-01 INR-07 INT-05 IO-13 JUSE-00  
L-03 NSAE-00 NSF-01 OMB-01 PA-01 PM-05 PRS-01  
SP-02 SS-15 NSCE-00 SSO-00 USIE-00 INRE-00 OIC-02  
/113 W

-----032592 091720Z /50

O R 091615Z SEP 77  
FM AMEMBASSY QUITO  
TO SECSTATE WASHDC IMMEDIATE 5691  
AMEMBASSY MEXICO IMMEDIATE  
AMEMBASSY SAN JOSE IMMEDIATE  
INFO AMEMBASSY LIMA  
AMEMBASSY PANAMA  
AMEMBASSY SANTIAGO  
AMCONSUL GUAYAQUIL

C O N F I D E N T I A L QUITO 6174

E.O. 11652: GDS  
TAGS: EFIS PFOR EC LOS  
SUBJ: ECUADOR REQUESTS LIMITED OBJECTIVE SAN JOSE MEETING ON NEW  
TUNA TREATY

REF: (A) QUITO 6135, (B) STATE 214030; (C) STATE 212968

1. SUMMARY: DURING DEMARCHE URGING ECUADOR TO ATTEND SAN JOSE MEETING, SENIOR FONOFF OFFICIAL REVEALED TO EMBOFF THAT GOE HAD ORALLY INFORMED COSPONSORS MEXICO AND COSTA RICA ON SEPTEMBER 6 THAT IT COULD NOT ATTEND BECAUSE OF LACK OF PREPARATION FOR THE CONFERENCE. NEVERTHELESS, FONOFF OFFICIAL WAS INTRIGUED WITH US POSITION THAT CONFERENCE OUGHT TO BE LIMITED TO ORGANIZATIONAL AND PROCEDURAL MATTERS AND ALSO EXPRESSED AGREEMENT THAT IT MIGHT BE BETTER TO HOLD CONFERENCE  
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MERELY AS A MEANS OF ESTABLISHING NATIONS' WILLINGNESS TO NEGOTIATE REGIONAL FISHING AGREEMENT THAN ALLOW IT TO COLLAPSE. SUBSEQUENT TO CONVERSATION, FONOFF PHONED WASHINGTON AND CONSULTED WITH FONMIN AYALA WHO EXPRESSED AGREEMENT WITH US POSITION ON LIMITED CONFERENCE. HOWEVER, IT WAS DECIDED THAT GOE COULD NOT RECONSIDER ITS POSITION UNTIL COSPONSORS MEXICO AND COSTA RICA INFORMED IT IN WRITING THAT THEY ALSO

SUPPORTED THIS APPROACH. END SUMMARY.

2. POLCOUNSELOR MADE DEMARCHE ON AMBASSADOR TEODORO BUSTAMANTE, SENIOR FOREIGN MINISTRY ADVISOR ON MARITIME AFFAIRS, ON AFTERNOON SEPTEMBER 8 FOR PURPOSE OF URGING ECUADOREAN ATTENDANCE AT SAN JOSE MEETING ON NEW TUNA AGREEMENT. POINTS SUGGESTED IN REFS B AND C WERE RAISED.

3. AT FINISH OF PRESENTATION, BUSTAMANTE EXPRESSED HIS GRATITUDE FOR OUR SPECIAL INTEREST IN ECUADOR'S CONCERNS. HE SAID THAT THE INFORMATION ON THE MEXICAN ATTITUDE AND ON THE US POSITION WERE EXTREMELY INTERESTING. HOWEVER, HE REVEALED THAT AT THE TIME THE DIPLOMATIC NOTES TO MEXICO AND COSTA RICA (REF A) REQUESTING A POSTPONEMENT WERE DELIVERED, FONOFF HAD ALSO INFORMED THE RESPECTIVE AMBASSADORS ORALLY THAT ECUADOR AHD ALREADY DECIDED NOT TO ATTEND THE CONFERENCE FOR THE REASONS EXPLAINED IN THE NOTES.

4. BUSTAMANTE LAMENTED THAT THE INFORMATION CONVEYED IN THE DEMARCHE COULD NOT HAVE BEEN MADE AVAILABLE EARLIER. HE WAS OBVIOUSLY IRRITATED THAT MEXICO HAD BEEN ABLE TO BACKGROUND THE US ON ITS INTENTIONS, BUT ALL EFFORTS BY ECUADOR, PERU, AND CHILE TO SOUND OUT MEXICO HAD BEEN UNSUCCESSFUL. BUSTAMANTE VAGUELY RECALLED RECEIVING A COPY OF THE JOSEPH AND GREENOUGH STUDY, BUT HE HAD NOT READ IT YET AND DOUBTED WHETHER ANYONE ELSE IN ECUADOR HAD EITHER. THE IDEAS IN THE CONFIDENTIAL

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STUDY THAT WERE ATTRACTING MEXICO, HE SAID, ALSO INTERESTED ECUADOR, BUT TO EMBARK UPON A SUBSTANTIVE DISCUSSION OF THEM WITH ONLY 10 DAYS WARNING WAS CLEARLY IMPOSSIBLE AND IF SUCH WERE ATTEMPTED AT THE CONFERENCE IT MIGHT BE WORSE THAN A WASTE OF TIME.

5. AT THE SAME TIME, BUSTAMANTE WAS INTRIGUED WITH THE US POSITION THAT THIS CONFERENCE OUGHT TO BE DEVOTED TO ORGANIZATIONAL AND PROCEDURAL MATTERS, INFERRING THAT THE SUBSTANCE COULD AWAIT A LATER MEETING. HE THOUGHT THAT IF THIS COULD BE AGREED UPON IN ADVANCE, SOME OF ECUADOR'S MOST SERIOUS OBJECTIONS COULD BE OVERCOME. ON THE OTHER HAND, HE OBSERVED THAT MEXICO HAD BEEN URGING REPRESENTATION AT THE "HIGHEST LEVEL", A REQUEST WHICH IMPLICITLY CONTRADICTED THE US POSITION. HE ASKED SPECIFICALLY WHETHER THE US HAD BROACHED THE IDEA OF A LIMITED GOALS CONFERENCE TO MEXICO, AND IF SO, WHAT WAS THE MEXICAN REACTION.

6. POLCOUNSELOR SUGGESTED THAT FACT CONFERENCE WOULD BE HELD AT ALL AFTER SEVERAL FALSE STARTS OVER PAST FEW YEARS OUGHT TO BE CONSTRUED AS PROGRESS. THE OPPORTUNITY TO ESTABLISH THE CONCEPT OF A NEW REGIONAL FISHING AGREEMENT AND THE WILLINGNESS

OF THE PARTICIPANTS COUNTRIES TO CONSIDER SUCH A STEP MIGHT PROVE TO BE THE MOST SIGNIFICANT FACTOR OF ALL, EVEN IF THE CONFERENCE ITSELF ACCOMPLISHED LITTLE OR NOTHING. IT MIGHT BE EASIER, HE CONCLUDED, TO BUILD UPON THE SAN JOSE CONFERENCE AT A MORE MEASURED PACE THAN TO HAVE IT COLLAPSE AT THIS DATE AND ATTEMPT TO START FROM SCRATCH.

7. BUSTAMANTE REACTED QUITE FAVORABLY TO THIS ARGUMENT AND EXPRESSED PERSONAL AGREEMENT WITH IT. HE PROMISED THAT HE WOULD TAKE THE MATTER UP IMMEDIATELY WITH THE ACTING FOREIGN MINISTER AND RECOMMENDED THAT GOE'S POSITION BE RECONSIDERED.

8. ASKED WHETHER CHILE AND PERU WERE ALSO TILTING TOWARD NOT ATTENDING, BUSTAMANTE COULD NOT SAY. HOWEVER, COORDINATION  
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AMONG THE THREE WAS VERY CLOSE ON THIS ISSUE, AND HE SUSPECTED THAT BOTH WOULD BE INCLINED TO FOREGO THE CONFERENCE.

9. TWO HOURS AFTER THE CONCLUSION OF THE MEETING, BUSTAMANTE TELEPHONED POLCOUNSELOR TO INFORM HIM THAT ACTING MINISTER GUSTAVO RUALES HAD JUST CONSULTED BY PHONE WITH FONMIN AYALA IN WASHINGTON ON THE PROBLEM. AYALA WAS EXTREMELY PLEASED WITH OUR SPECIAL INTEREST IN ECUADOR AND ALSO WITH US POSITION ON LIMITING CONFERENCE TO ORGANIZATIONAL AND PROCEDURAL MATTERS. A DECISION WAS MADE THAT ECUADOR WOULD "FIND IT MUST EASIER" TO ATTEND IF THE US POSITION PREVAILED. HOWEVER, IN ORDER FOR ECUADOR TO RECONSIDER ITS DECISION, THIS INFORMATION WOULD HAVE TO COME IN THE FORM OF A WRITTEN ACKNOWLEDGMENT FROM THE CO-SPONSORS.

10. ACCORDING TO BUSTAMANTE, AYALA ALSO SAID THAT HE HAD DISCUSSED THE SAN JOSE MEETING WITH COSTA RICAN FONMIN FACIO IN WASHINGTON. AYALA SUGGESTED TO FACIO THAT THE CONCURRENCE OF SO MANY LAW OF SEA EXPERTS INTERESTED IN THE TUNA QUESTION AT ONE PLACE OUGHT NOT TO BE WASTED AND SUGGESTED THAT TIME MIGHT BE PROFITABLY SPENT FURTHER NARROWING DIFFERENCES ON LOS DRAFT ARTICLE 64 AND ASSOCIATED ARTICLES. AYALA SAID THAT FACIO REACTED POSITIVELY TO THIS SUGGESTION.

11. ACTION REQUESTED: THAT DEPT. INFORM US AS TO WHETHER APPROACHES AT SAN JOSE AND MEXICO CITY ALONG LINES OF PARA 4, REF C HAVE INDICATED THAT RESERVATIONS OF ECUADOR AND PRESUMABLY CHILE AND PERU CAN BE ACCOMMODATED.  
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